

In re application of MALVAR, H.
Serial No: 09/955,577

REMARKS

The Office Action has been carefully considered. In the Office action, claims 8 and 11-19 were objected to for informalities. Claim 1, 2, 5, 6 and 10 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,301,304 to Jing et al. Claims 3, 4, 8, 11, 12 and 14-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Jing et al. Claims 7, 9, 13 and 20 were objected to as being rejected on a rejected base claim, but were indicated as being allowable if rewritten in independent form including the limitations of the base claim and any intervening claims. Claims 21 and 22 were allowed.

By the present amendment, claims 7-9, 12, 13 and 20 have been canceled, new claims 23-38 have been added, and claims 1 and 11 have been amended. As discussed below, applicants submit that each of the remaining claims contain allowable subject matter and thus are allowable.

More particularly, the subject matter of claim 7, indicated as allowable, has been incorporated into claim 1. Claim 7 has been canceled. Claim 8, which was objected to, has been rewritten as new claim 23 which includes the limitations of claim 1 and allowable claim 7, along with a preamble that states "a method for encoding decoding video or image pixel data..." thereby overcoming the objection (corresponding to claim 8) in the new claim. Claim 9 has been canceled, as discussed below. Accordingly, claims 1-6 and 10, and new claim 23, are allowable as indicated in the Office action.

Claim 9, which was indicated as allowable, has been canceled and rewritten in independent form as new claim 25 including the limitations of the base claim, claim 1; (there were no intervening claims). Accordingly, claim 25 and its dependent claims, claims 26-31, each contain allowable subject matter as indicated in the Office action.

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New claim 24 was also added and includes the subject matter of claim 8, allowable claim 9, and the base claim, claim 1. Accordingly, claim 24 is allowable.

The subject matter of claim 13, indicated as allowable, has been incorporated into claim 11 along with claim 12. Claim 11 was amended to overcome the informality objection. Claims 12, 13 and 20 have been canceled. Accordingly, claims 11 and 14-19 are allowable as indicated in the Office action.

Claim 20, which was indicated as allowable, has been canceled and rewritten in independent form as new claim 32 including the limitations of the base claim, claim 11; (there were no intervening claims). Accordingly, claim 32 and its dependent claims, claims 33-38, each contain allowable subject matter as indicated in the Office action.

In view of the foregoing remarks, each of the pending claims 1-6, 10, 11, 14-19 and 23-38 contain subject matter indicated as being allowable in the Office action. A timely allowance is respectfully requested.

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CONCLUSION

Based upon the above remarks, all of the pending claims are in condition for allowance as each contains allowable subject matter as indicated in the Office action. Applicants respectfully request timely allowance of the patent application. If in the opinion of the Examiner a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney at (425) 836-3030.

Respectfully submitted,


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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this Response, along with transmittal and facsimile cover sheet, are being transmitted by facsimile to the United States Patent and Trademark Office in accordance with 37 C.F.R. 1.6(d) on the date shown below:

Date: October 24, 2004



Albert S. Michalik

3040 Amendment